

Appl. No. : **10/771,845**
Filed : **February 4, 2004**

SUMMARY OF PERSONAL INTERVIEW

November 12, 2009: Examiner Melissa K. Ryckman, Supervising Patent Examiner Jackie Ho, and Applicant's counsel Sabing Lee and Lincoln Essig discussed the structure of the patent foramen ovale and potential amendments to independent Claims 1 and 10.

Exhibits and/or Demonstrations: n/a

Identification of Claims Discussed: 1 and 10 in particular

Identification of Prior Art Discussed: Shaw (U.S. 6,080,182) and Marino (U.S. 7,087,072)

Proposed Amendments:

Proposed amendments to Claims 1 and 10 were discussed reciting the locking element remaining at the PFO after locking. Applicants also proposed amendments to the claims reciting that the device draws the septum primum and septum secundum together in an overlapping configuration, as illustrated in one example in Figure 5. The Examiners also suggested further structure to distinguish over the implant disclosed in Marino, and further structure regarding the claimed locking element.

Principal Arguments and Other Matters

Discussed the distinctions between the patent foramen ovale and the septal defects disclosed in Shaw. Amendments for overcoming the cited art in the claims were discussed and will be submitted in the office action response.

Results of Interview

The Examiners appeared to indicate that recitation of the device drawing the septum primum and septum secundum together in an overlapping configuration would overcome the rejection based on Shaw. Applicants will consider whether further amendments are warranted to distinguish Marino.